



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: May 20, 2025

SUBJECT:

Consider adoption of an ordinance by the City of Denton granting Landmark Phase 1, LLC AND HR, JV, LP a noise exception pursuant to Section 17-20 of the City of Denton Code of Ordinances, with respect to sound levels and hours of operation for concrete street and alley pours, saw cutting, delivery of construction materials, and utility installation related to construction of a new residential community and commercial development, located at 8209 Autumn Sage Trail; granting an increase in sound levels and a variance in the hours of operation which may be affected by weather, from 8:30 P.M. to 12:00 A.M. with sound not to exceed 91 decibels; and providing an effective date.

BACKGROUND:

The City of Denton has a regulation on construction time within Section 17-20 of the Code of Ordinances. This chapter limits construction activity to no later than 8:30 p.m. on all days of the week but provides City Council the discretion to issue special permits for such work at other hours in case of urgent necessity and in the interest of public safety and convenience.

Kyle Joyce, Sr. Land Development Manager for Hillwood Communities has requested an exception to the noise ordinance beginning June 1, 2025, through December 31, 2025. The request would be to increase the available hours of construction from 8:30 p.m. to 12:00 a.m. to provide for street and alley pours, saw cutting, utility installation, and deliveries of construction materials for both the residential and commercial portions of Hunter Ranch. The 60 concrete street/alley pour locations are at least 1300 feet from any residential area and the furthest distance being 3000 feet from any residential area. Construction activities will be at minimum, 200 feet from Robson Ranch Road. The request is to allow for the subcontractor crews to catch up to the concrete poured in a normal day with saw cutting, deliveries to come in at night to better prepare the paving and utility crews to start the next morning and allow for utility contractors to reduce their construction timeline related to the HEB construction.

The 91db would be at 29db at 1300 feet or roughly equivalent to a whisper. The impact to the development would be a significant delay as they would lose approximately 2.5 plus hours plus per day and set the project back by 45-60 days. Additionally, there is a requirement in the amendment to the Hunter Ranch Operating Agreement that Phase 1 projects be completed and first building permits issued by December 2026 so the approval of this request helps ensure they are able to meet the requirements in the Operating Agreement.

There are approximately 60 pours to conduct during the above hours. Deliveries will vary based on the stage of construction each subphase is within. Exhibit 4 describes the sequences of the activity and as construction continues Hunter Ranch will be increasing the distance between the construction activity and

the nearest residential area further reducing any potential impact. Exhibit 6 shows the level of sound at the nearest residential home to be under the average room noise.

OPTIONS

1. Approve
2. Approve with conditions
3. Deny
4. Postpone the item

RECOMMENDATION:

Staff recommends approval based on the construction activity having little to no impact on neighboring residential areas.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

EXHIBITS

Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Applicant Request
Exhibit 3 - Aerial Map
Exhibit 4 - Paving and Utility Sequence
Exhibit 5 - Site Plan- Residential and Commercial
Exhibit 6 - Additional Noise Request Backup
Exhibit 7 - Ordinance

Respectfully submitted:
Scott A. McDonald
Development Services Director

Prepared by:
Emily Loiselle
Deputy Building Official